

REMARKS

Claims 1-6 and 19 are presently under consideration in the application. Claims 1 and 4 are amended herein. Entry of the above amendments and further consideration of the application is respectfully requested.

I. ENTRY OF AMENDMENT/REJECTION UNDER 35 USC §112

Applicants wish to thank the Examiner for the courtesies extended to applicants' undersigned representative on May 21, 2007. Possible amendments to the claims were discussed for addressing the rejection 35 USC §112. Specifically, the Examiner requested that the applicants clarify within the claim whether the claimed invention is directed necessarily to a group of discs, or a single disc that may be included among a group of discs. If the latter, the Examiner requested that the applicants clarify what is meant by "adjusting a response time" by referring to what the response time is in response to.

Accordingly, applicants have amended claim 1 so as to refer solely to an optical disc (although the claimed disc can be one of a plurality of like discs without departing from the scope of the invention). In addition, applicants have amended claim 1 to emphasize that the response signal is a signal in response to a reception signal received by the optical disc. Support for such amendment is found, for example, in the present application at page 16, lines 9-13.

Applicants respectfully submit that such amendment is not substantive and request that the Examiner enter and consider the amendment despite the Office Action having been made final.

II. ALLOWABLE SUBJECT MATTER

Applicants again acknowledge with appreciation the noted allowability of claims 5 and 6.

III. REJECTIONS OF CLAIMS 1-4 UNDER 35 USC §102(b)/103(a)

Claims 1-3 remain rejected under 35 USC §102(b) based on *Diezmann et al.* Claim 4 remains rejected under 35 USC §103(a) based on *Diezmann et al.* in view of *Fuentes et al.* Applicants again respectfully request withdrawal of the rejections for at least the following reasons.

Claim 1 recites features that enable an optical disc to be distinguished among a plurality of discs during interrogation by a exhibiting different response time and/or frequency in response to a reception signal received by the optical disc. As is discussed in the present application, different optical discs may be distinguished during interrogation by exhibiting different response times and/or frequencies in order to avoid collisions.

In particular, claim 1 recites an optical disc having an IC that "includes at least one of a time adjusting section for adjusting a response time of a response signal and a frequency setting selection for setting a frequency of the response signal, the response signal being a signal in response to a reception signal received by the optical disc".

The present invention is advantageous in that even when a plurality of optical discs are present within the scope that the radio waves from the remote control can reach, the remote control can separate the response signals. For example, the response signals may be separated time-wise or with respect to frequency. In this way, collision of the response signals from a plurality of optical discs can be avoided.

Neither *Diezmann et al.* nor *Fuentes et al.* teach or suggest an optical disc that includes *at least one of a time adjusting section for adjusting a response time of a*

response signal and a frequency setting selection for setting a frequency of the response signal, the response signal being a signal in response to a reception signal received by the optical disc, as recited in claim 1. Furthermore, neither *Diezmann et al.* nor *Fuentes et al.* teach or suggest the advantages associated with such a configuration as claimed.

Diezmann et al. is concerned with solving the problem of providing a CD which makes it possible to store not only the information stored on the CD but also the further individual data, such as temporary results, algorithms and keys, which can be read out and optionally changed. (See, e.g., Col. 2, Ins. 6-10). *Diezmann et al.* does not teach or suggest *at least one of a time adjusting section for adjusting a response time of a response signal and a frequency setting selection for setting a frequency of the response signal, the response signal being a signal in response to a reception signal received by the optical disc* as recited in claim 1.

Fuentes et al. is concerned with solving the problem of preventing illegal copying of data storage media. (See, e.g., Col. 1, Ins. 19-22 and Ins. 40-59). *Fuentes et al.* also does not teach or suggest *at least one of a time adjusting section for adjusting a response time of a response signal and a frequency setting selection for setting a frequency of the response signal, the response signal being a signal in response to a reception signal received by the optical disc* as recited in claim 1.

For at least the above reasons, applicants respectfully request the withdrawal of the rejection of claims 1-4.

IV. CONCLUSION

Accordingly, all claims 1-6 and 19 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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DATE: May 24, 2007

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